

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KERIMA LEWIS and DAVID  
LEWIN,

No. C 08-5089 WDB

Plaintiffs,

CASE MANAGEMENT ORDER  
FOLLOWING REASSIGNMENT

v.

CITY OF BERKELEY,

Defendant.

On January 5, 2009, the Court deemed this action related to C08-2313 WDB. As a result, this matter has been reassigned to the undersigned.

The Court ADOPTS Judge Spero's Order, filed January 6, 2009. Accordingly, if plaintiffs elect to proceed with this action, then **by January 19, 2009**, plaintiffs must file with the Court and serve on defendant their First Amended Complaint.

If defendant elects to challenge the legal viability of plaintiffs' claims, then **by February 18, 2009**, defendant must file with the Court and serve defendant's motion to dismiss the First Amended Complaint.

**On Wednesday, March 25, 2009, at 3:00 p.m.**, the Court will conduct a hearing in connection with defendant's motion to dismiss.

1 In the alternative, if defendant opts to respond to the First Amended Complaint by  
2 filing an Answer, the Court will conduct the initial case management conference **on**  
3 **Wednesday, March 25, 2009, at 3:00 p.m.**

4 IT IS SO ORDERED.

5 Dated: January 7, 2009

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7 WAYNE D. BRAZIL  
8 United States Magistrate Judge  
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